

NOV. 29. 2005 7:24PM

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NO. 7347 P. 1

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NOV 29 2005 EXPEDITED RESPONSE
GROUP ART UNIT 1637

Attorney Docket No.: Enz-60

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Elazar Rabbani et al.

Serial No.: 09/896,897

Group Art Unit: 1637

Filed: June 30, 2001

Examiner: Joyce Tung

For: **COMPOSITIONS COMPRISING A LIBRARY OF ANALYTES
FOR DETECTION, QUANTIFICATION AND ANALYSES**

Confirmation No.:

CERTIFICATE OF FACSIMILE TRANSMISSION

Mail Stop -- Petitions
Commissioner for Patents
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Alexandria, VA 22313-1450

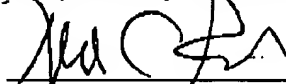
Sir:

I hereby certify that the attached correspondence (total of 9 pages including this sheet) comprising:

- (1) Communication Accompanying Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. §1.137(b);
- (2) Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. §1.137(b); and
- (3) Notice of Appeal

was sent to the United States Patent and Trademark Office by telefax to (571) 273-8300.

Respectfully submitted,



Ronald C. Fedus
Reg. No. 32,567
Attorney for Applicants

Date: November 29, 2005

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NO. 7347 P. 2

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RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED RESPONSE
GROUP ART UNIT 1637

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Elazar Rabbani et al.)
Serial No. 09/896,897)
Filed: June 30, 2001)
Title: COMPOSITIONS COMPRISING A LIBRARY)
OF ANALYTES FOR DETECTION,)
QUANTIFICATION AND ANALYSES)

Group Art Unit: 1637

Examiner: Joyce Tung

527 Madison Avenue (9th Floor)
New York, NY 10022-4304
November 29, 2005

FILED BY FACSIMILE TRANSMISSION
TO: (571) 273-8300

Mail Stop -- Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

**(ACCOMPANYING PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. §1.137(b))**

Dear Sirs:

This paper (Communication) follows Applicants' September 2, 2005 Amendment Under 37 C.F.R. §1.116 and the mailing of an Advisory Action and Notice of Abandonment on October 12, 2005 and November 15, 2005, respectively. In their September 2, 2005 Amendment, Applicants' undersigned attorney inadvertently failed to file a Notice of Appeal.

ENZ-60

Elazar Rabbani et al.; Serial No. 09/896,897; Filed: June 30, 2001

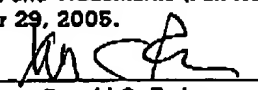
Page 2 [Communication (Accompanying Petition For Revival Of An Application For
Patent Abandoned Unintentionally Under 37 CFR 51.137(b))
-- November 29, 2005]

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (Communication (Accompanying Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. 51.137(b)) (along with any documents referred to as attached or enclosed) is being facsimile transmitted to the United States Patent and Trademarks (Fax No. 571-273-8300) on November 29, 2005.

NOV 29 2005

Date



Ronald C. Fedus
Reg. No. 32,567

ENZ-60

Elazar Rabbani et al.; Serial No. 09/896,897; Filed: June 30, 2001
Page 3 [Communication (Accompanying Petition For Revival Of An Application For
Patent Abandoned Unintentionally Under 37 CFR §1.137(b))
-- November 29, 2005]

In their accompanying Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. §1.137(b), Applicants are filing a Notice of Appeal and authorization for the small entity fee therefor.

No fee is believed due in connection with this Communication, although fees have been authorized for Applicants' Petition For Revival and Notice of Appeal which are being concurrently filed herewith. If any fee is due, however, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 05-1135, or to credit overpayment thereto.

Early and favorable action on Applicants' accompanying Petition For Revival is respectfully requested.

Respectfully submitted,



Ronald C. Fedus
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Attorney for Applicants

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Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.